

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NING XIANHUA,

Plaintiff,

v.

OATH HOLDINGS, INC., et al.,

Defendants.

Case No. [20-cv-06185-HSG](#)

**ORDER DENYING MOTION FOR
LEAVE TO FILE MOTION FOR
RECONSIDERATION**

Re: Dkt. No. 89

Pending before the Court is Plaintiff Ning Xianhua's motion for leave to file a motion for reconsideration under Federal Rule of Civil Procedure 60(b) and Civil L.R. 7-9. Dkt. No. 89. Plaintiff requests that the Court reconsider its order denying Plaintiff's motion to reopen the case, Dkt. No. 88, based on newly discovered evidence and a change in law. *See* Dkt. No. 89; Fed. R. Civ. P. 60(b)(2). The Court finds this matter appropriate for disposition without oral argument and the matter is deemed submitted. *See* Civil L.R. 7-1(b).

Having reviewed Plaintiff's motion in detail, the Court finds that he offers no newly discovered evidence or change in law warranting reconsideration. *See* Civil L.R. 7-9(b) (requiring "reasonable diligence" in bringing the motion and a showing that "a material difference in fact or law exists from that which was presented to the Court before entry of the interlocutory order for which reconsideration is sought"). Rather, Plaintiff repeats arguments that he raised in his prior motion and that the Court already rejected. *See* Civil L.R. 7-9(c) ("No motion for leave to file a motion for reconsideration may repeat any oral or written argument made by the applying party in support of . . . the interlocutory order which the party now seeks to have reconsidered.").


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In short, there is no basis for reconsideration, and the motion is **DENIED**.

IT IS SO ORDERED.

Dated: 10/13/2023


HAYWOOD S. GILLIAM, JR.
United States District Judge

United States District Court
Northern District of California